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4/20/2022

Via ECF Filing

The Honorable Leda Wettre
United States Magistrate Judge

Re: ***Lamb v. BrahamPutra, LLC*, Case No. 2:20-cv-12145, In the United States
District Court for the District of New Jersey**

Dear Judge Wettre:

The below-signed attorneys represent Plaintiff Derek Lamb, the Opt-in Plaintiffs, and the putative collective members in the above-referenced matter, which was filed as a collective action pursuant to the Fair Labor Standards Act, 29 U.S.C. § 216(b).

On March 18, 2022, Plaintiff filed his Motion for Conditional Certification and Court-Authorized Notice Pursuant to 29 U.S.C. § 216(b). *See* Dkt. 42. The Court set the hearing on Plaintiff's Motion for Conditional Certification for April 18, 2022, to be heard on the papers and without oral argument. *See* Text Order dated Mar. 24, 2022. Defendant's opposition/responsive brief to that Motion was due April 4, 2022 pursuant to Local Civil Rule 7.1(d)(2). As of the date of this letter, Defendant has not filed any responsive brief and has not requested an extension of time to file a responsive brief.

Because this is a Fair Labor Standards Act matter with absent potential opt-in plaintiffs who have not yet received notice of this lawsuit, any further delay in providing court-authorized notice would prejudice those workers. *See, e.g.*, Dkt. 48. Because Defendant did not file a brief responding to or opposing Plaintiff's Motion for Conditional Certification, Plaintiff respectfully requests the Court consider Plaintiff's Motion for Conditional Certification as unopposed. *See Bowe v. Enviropuro Basement Sys.*, No. 12-2099 (MLH/KMW), 2013 U.S. Dist. LEXIS 170796, at *1 n.1 (D.N.J. Dec. 4, 2013) (granting plaintiff's request that the court consider plaintiff's motion for conditional certification unopposed where the defendant failed to file a response brief and did not seek additional time to respond).

Plaintiff thanks the Court for its considerations to this request.

Dated: 4/20/2022

Respectfully submitted,

/s/ Andrew Glenn
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CC: All Counsel of Record via ECF Filing.

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on 4/20/2022, I electronically filed the foregoing document with the Clerk of Court using the Court's CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Andrew Glenn
Andrew Glenn, Esq.